

TEMPORARY

No. 71489-T

TEMPORARY
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 22 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 10 2004 under 71044

The applicant **The Cortez Joint Venture**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit 67614**

1. The source of water is **Underground**
2. The amount of water to be changed **0.3 c.f.s., 74 AFA**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T.27 N., R.47 E., MDM, or at a point from which the SE corner of Section 32, T.28 N., R.47 E., MDM bears North 44°41' East, 5845 feet – Mine Dewatering Well DB 21**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T.27 N., R.47 E., MDM, or at a point from which the SE corner of Section 31, T.28 N., R.47 E., MDM bears North 22°17' West, 2405 feet**
7. Proposed place of use **18.5 acres within Section 7, T.28 N., R.48 E., MDM**
8. Existing place of use **18.5 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13, T.28 N., R.47 E., MDM**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **well, pump and motor, and pivot irrigation**
12. Estimated cost of works **in excess of \$500,000**
13. Estimated time required to construct works **well complete**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **See Attached**

Bruce R. Scott, Resource Concepts, Inc.
By s/ **Bruce R. Scott**
340 North Minnesota Street
Carson City, Nevada 89703

Compared ag/ dl ag/sam _____
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 67614 is issued subject to the terms and conditions imposed in said Permit 67614 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 67614, 67615 and Temporary Permits 71489-T and 71490-T shall not exceed 240.0 acre-feet annually and is limited to the irrigation of 60.0 acres within the described place of use.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records will be kept of the volume of water pumped from this well and delivered to the irrigation system. These records will be submitted within 15 days after the end of each month on the monthly report for the Cortez Joint Venture.

This temporary permit is issued subject to the "Pipeline Gold Project, Groundwater and Surface Water Monitoring Plan" submitted to the State Engineer on August 2, 1993, and to the Pershing County and Lander County Stipulation dated May 21, 1993.

The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.
(CONTINUED ON PAGE 3)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 3, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3 cubic feet per second, **but not to exceed 74 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

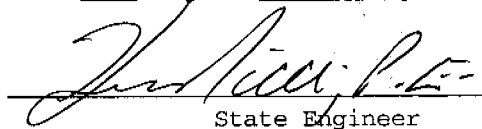
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this **4th** day of **November**, A.D. **2004**


State Engineer

EXPIRED
DATE , **NOV 03 2005**

Attachment to Temporary Application to Change Permit 67614**Item 15. Remarks**

The water under this temporary application is to be commingled with the water under the applications being filed concurrently for temporary changes to Permit 67615 and a portion of Permit 18570, Certificate 6055 for irrigation of 226.58 acres within the proposed place of use.

Use map on file under Application 67500T to support the existing point of diversion, map on file under Application 67611 to support the existing place of use, map on file under Application 71044 to support the proposed point of diversion, and map on file under Application 62977 to support the proposed place of use.